

REMARKS

Summary of Office Action

Claims 1-25 are pending in the above-identified patent application.

Claims 16, 18 and 23 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by, and under 35 U.S.C. § 103(a) as allegedly being obvious from, Great Britain 106,866 (hereinafter "Britain '866"). Claim 17 has been rejected under 35 U.S.C. § 103(a) as allegedly being obvious from Britain '866 in view of France 1,029,300 (hereinafter "France '300"). Each of claims 19-22 was objected to as being dependent upon a rejected base claim, but allowable subject matter was indicated.

Claims 1-15, 24 and 25 have been allowed.

Summary of Applicants' Reply

The Examiner's rejections are respectfully traversed for reasons to be discussed after the following formal matter.

Request for Acknowledgment of Information Disclosure Statement

On April 7, 2004, applicants filed an Information Disclosure Statement in connection with the above-identified patent application identifying, among other references, France No. 892,874 (France '874). Applicants submitted therewith Form PTO-1449 (in duplicate) listing the aforementioned reference, and a copy of that Form PTO-1449 was returned with the April 20, 2006 Office Action. However, on that returned copy, France '874 was not initialled by the Examiner.

In their September 18, 2006 reply, applicants respectfully requested that the Examiner return a copy of that Form PTO-1449 on which France '874 is initialled. Applicants additionally enclosed with that reply, for the Examiner's convenience, additional copies of France '874 and of a computer-generated translation of its abstract. However, to

date no copy of Form PTO-1449 on which France '874 has been initialled has been returned to applicants.

Applicants respectfully request, once again, that a copy of Form PTO-1449, on which France '874 has been initialled, be returned with the next communication.

Applicants' Reply

Applicants note with appreciation the allowance of claims 1-15 and 24-25, and the continued indication of allowable subject matter in claims 19-22. The Examiner's objection and rejections are respectfully traversed.

Allowable subject matter had been indicated in claims 19-22 in the Office Action dated April 20, 2006, and in their September 18, 2006 reply, applicants rewrote each of claims 19-22 in independent form. Nevertheless, the Examiner continues to object to each of these claims as depending from a rejected base claim. Applicants assume this to be an oversight on the part of the Examiner, and respectfully submit that each of claims 19-22, previously presented in independent form, is in condition for allowance.

Claims 16, 18 and 23 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by, and under 35 U.S.C. § 103(a) as allegedly being obvious from, Britain '866. Claim 17 has been rejected under 35 U.S.C. § 103(a) as allegedly being obvious from Britain '866 in view of France '300. These rejections are respectfully traversed.

Applicants had previously argued (January 12, 2006 reply) that independent claims 16 and 23, which defined the width of slits in a slitboard to be at most about one-tenth of the width of images mounted on a backboard in order to project the images substantially without blurring, distinguished over Britain '866 because Britain '866 describes an apparatus including a number of pictures and a screen including a series of slots. Britain '866 specifies that the slots may have a width of 2 inches and the images a width of 15 inches (page 3,

lines 42-43), corresponding to a slot-width to image-width ratio of approximately 0.133. The Examiner took the position that a ratio of 0.133 is "at most about one-tenth" (April 20, 2006 Office Action, page 4), and that the ratio was therefore within the range defined by applicants' claims.

In their September 18, 2006 reply, applicants amended independent claims 16 and 23 to recite that the ratio should be "at most one-tenth" (deleting "about"). Applicants further explained that Britain '866 fails to show or suggest restricting the slot-width to be at most one-tenth the image-width in order to project images substantially without blurring, and that France '300 does not make up the deficiency of Britain '866 in failing to show or suggest applicants' invention.

The Examiner has nearly repeated the prior rejections (as well as restating the Section 102 rejection as a single-reference Section 103 rejection), without acknowledging applicants' amendment of claims 16 and 23 or explaining why the amendments of those claims do not overcome the rejection. The Examiner appears to be stating that it is obvious to make the slit width at most one-tenth of the image width because that is merely discovering the optimum value of the slit width, citing In re Boesch.

Applicants respectfully disagree. To the extent that Britain '866 recognizes the relationship of slit width to blurring, Britain '866 teaches away from restricting the slit width as claimed, stating (page 3, lines 34-36) that the width nevertheless "may be made amply wide" to allow daylight to illuminate the picture. If the Examiner continues to believe that claims 16 and 23, as previously amended, do not distinguish over Britain '866 and France '300, the Examiner is invited to explain that belief. Otherwise, allowance of claims 16-18 and 23 is respectfully solicited.

Conclusion

In view of the foregoing, applicants respectfully submit that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application accordingly are respectfully requested.

Respectfully submitted,

/Jeffrey H. Ingerman/

---

Jeffrey H. Ingerman  
Registration No. 31,069  
Attorney for Applicants  
FISH & NEAVE IP GROUP  
ROPES & GRAY LLP  
Customer No. 1473  
1211 Avenue of the Americas  
New York, New York 10036-8704  
Tel.: (212) 596-9000